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August 15, 2018

VIA ECF AND FACSIMILE (212-805-7942)

Honorable Alvin K. Hellerstein
United States District Judge
Daniel Patrick Moynihan
United States Courthouse, Room 1050
500 Pearl Street
New York, NY 10007-1312

RE: **GREEN v. HARBACH, 17 Civ. 6984 (AKH/DCF)**

Dear Judge Hellerstein:

This firm represents Plaintiff Charles C. Green ("Green") in the above action. Pursuant to Rule 1.D of the Court's Individual Rules, we write regarding the motion for attorneys' fees (the "Attorneys' Fees Motion") filed on August 8, 2018 by Defendant Chad D. Harbach ("Harbach"). (Dkt. No. 34.)

Green's opposition in response to the Attorneys' Fees Motion is currently due on August 22, 2018. As the Court may be aware, Green also filed a motion to defer consideration of the attorneys' fees issue until after the appeal is resolved (Dkt. No. 37), and Harbach's opposition to that motion is due on August 23, 2018. In the event that the Court does not decide the motion to defer consideration until after August 22 (or the Court denies the motion to defer consideration before then), Green opposition to the Attorneys' Fees Motion would be due on August 22.

The undersigned counsel for Green has a conflict because of two previously scheduled expert depositions in another matter and the preparation of an opposition to the Attorneys' Fees Motion would also interfere with the drafting of Green's initial appellate brief, which is due on August 28, 2018. Under the circumstances, Green respectfully requests that the Court extend the deadline for the opposition to the Attorneys' Fees Motion to **September 10, 2018**.

Counsel for Harbach has consented to an extension to September 10 and has also requested an extension of the date for Harbach's reply papers on the Attorneys' Fees Motion to **September 24, 2018**. Green does not object to such an extension.

The only previous extension relating to the Attorneys' Fees Motion was Harbach's request to file the initial motion on August 8, 2016, which the Court granted. The extensions requested herein do not affect any other deadlines in this action.

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*So ordered
8-16-18
[Signature]*

Honorable Alvin K. Hellerstein

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Respectfully submitted,

/s Pieter Van Tol

Pieter Van Tol

Partner

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cc: Elizabeth A. McNamara, Esq.